

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

**USDC SDNY  
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ELECTRONICALLY FILED  
DOC #:  
DATE FILED: OCT 23 2012**

BRAINTREE LABORATORIES, INC.,  
Plaintiff,

-v-

CYPRESS PHARMACEUTICAL, INC.,  
Defendant.

12 Civ. 6851 (AJN)

NOTICE OF INITIAL  
PRETRIAL CONFERENCE

ALISON J. NATHAN, District Judge:

This case has been assigned to me for all purposes. As stated in the Standing Order of October 31, 2011, this case has been designated for inclusion in the Southern District of New York's Pilot Program Regarding Case Management Techniques for Complex Civil Cases (the "Pilot Project") and shall be conducted in accordance therewith.

The Pilot Project Procedures are available at: [http://nysd.uscourts.gov/rules/Complex\\_Civil\\_Rules\\_Pilot.pdf](http://nysd.uscourts.gov/rules/Complex_Civil_Rules_Pilot.pdf). The parties are directed to follow these procedures – even to the extent that they are inconsistent with this Court's Individual Rules.

Counsel for all parties are directed to appear for an initial pretrial conference with the Court, on November 19, 2012 at 3:00 in Courtroom 17B of the United States District Court for the Southern District of New York, 500 Pearl Street, New York, New York. **All pretrial conferences must be attended by the attorney who will serve as principal trial counsel.** By the date of the initial pretrial conference, counsel for all parties are required to register as filing users in accordance with the Procedures for Electronic Case Filing. Prior to the date of the conference, each party must also send the Court one courtesy copy of the party's pleadings.

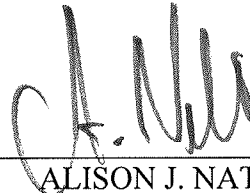
Counsel are directed to confer with each other prior to the conference regarding each of the subjects required by the Pilot Project, including all subjects to be considered at a Fed. R. Civ. P. 16 conference. Additionally, the Parties are directed to submit via e-mail (NathanNYSDChambers@nysd.uscourts.gov) an Initial Report in PDF format **no later than seven days before the conference**. The Initial Report should contain all information and deadlines required by Sections I.A. and I.B. and Exhibit A of the Pilot Project. Counsel are directed to use numbered paragraphs and headings where appropriate.

If this case has been settled or otherwise terminated, counsel are not required to appear, provided that a stipulation of discontinuance, voluntary dismissal, or other proof of termination is sent prior to the date of the conference via e-mail to the Orders and Judgment Clerk at the following e-mail address: [orders\\_and\\_judgments@nysd.uscourts.gov](mailto:orders_and_judgments@nysd.uscourts.gov).

Requests for adjournment may be made only in a writing received not later than two business days before the conference. The written submission must (a) specify the reasons for the adjournment, (b) state whether the other parties have consented, and (c) indicate times and dates on succeeding Fridays when all counsel are available. The parties are directed to the Court's Individual Rules (available at the Court's website, <http://nysd.uscourts.gov/judge/Nathan>) regarding the submission of letters. Unless counsel are notified that the conference has been adjourned, it will be held as scheduled.

Counsel who have noticed an appearance as of the issuance of this order are directed (i) to notify all other parties' attorneys in this action by serving upon each of them a copy of this notice and the Court's Individual Rules (available at the Court's website, <http://nysd.uscourts.gov/judge/Nathan>) forthwith, and (ii) to file proof of such notice with the Court. If unaware of the identity of counsel for any of the parties, counsel receiving this notice must forthwith send a copy of this notice, the Standing Order and the Individual Rules to that party personally.

Dated: October 23, 2012  
New York, New York

A handwritten signature in dark ink, appearing to read 'A. Nathan', is written over a horizontal line.

ALISON J. NATHAN  
United States District Judge